

January 27, 2003

Dr. George Kulasingam  
Department of Health Services  
Division of Laboratory Sciences  
Environmental Laboratory Accreditation Program  
2151 Berkeley Way  
Berkeley, CA  
94704-1011

RE: ELAP Performance Testing Requirements

Dear Dr. Kulasingam,

At the September 2002 meeting of ELTAC a sub-committee was proposed to develop recommendations for revised ELAP rules for Performance Testing (PT). On October 7, 2002 you contacted Ken Osborn to chair a sub-committee of the Environmental Laboratory Technical Advisory Committee (ETLAC) on the PT program. Mr. Osborn recruited five members from ELTAC to participate: Dr. Andrew Eaton of MWH Laboratories, Miriam Cardenas of the City of Santa Monica, Dr. Mark J. Carter of ERA, David Kimbrough of the Castaic Lake Water Agency, and Chuck Wibby of Wibby Environmental. The committee has met and proposes changes to Articles 1 (Section 64801), 5 (Section 64809), and 12 (Section 64823) of Title 22, Division 4, Chapter 19, as attached, to address issues related to the PT program. Below is a brief summary of these recommendations.

- 1) The sub-committee recommends that with the exception of PT study frequency and schedule, that all ELAP PT studies meet all NELAC requirements. In addition, all of the information needed by PT manufacturers to prepare PT samples and conduct studies for all of ELAP's FOTs should be adopted into regulation either directly or by reference to the USEPA Criteria Document and NELAC Standards on Proficiency Testing.
- 2) The sub-committee recommends that a three-tiered approach be adopted for PT requirements;
  - a) Where ELAP accredits combinations of matrix-method-analyte that are cited in either the United States Code of Federal Regulation Title 40 Section 141 or the USEPA Criteria Document, these should be used. These should be included by reference in new regulations.
  - b) Where ELAP accredits combinations of matrix-method-analyte and USEPA criteria do not exist, limits found in NELAC Chapter 2 should be used. These should be included by reference in new regulations.
  - c) Where ELAP accredits combinations of matrix-method-analyte and USEPA criteria and NELAC Chapter 2 criteria do not exist, ELAP shall adopt sample design and acceptance criteria.
  - d) These criteria shall be developed by an expert panel made up of individuals from the regulated laboratory community, PT manufacturers, and regulatory bodies.

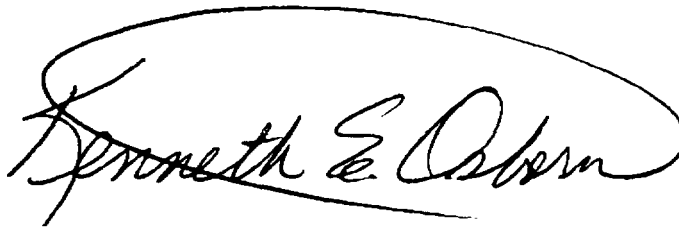
This approach is designed to respond to California requirements and at the same time be consistent as much as possible with other established PT requirements.

- 3) There are currently no definitions for a number of important terms used in regulation. The sub-committee has proposed language for Article 1 to address this deficiency.
- 4) The sub-committee recommends that Article 5 and 12 be changed so that laboratories can be accredited, at their option, for any combination of matrix-method-analyte(s) that are included

in the ELAP program. The committee recommends that accreditation of organic compounds be by individual analyte instead of by method. Of course a laboratory may chose to be accredited for all analytes in a method.

- 5) The sub-committee has prepared three draft regulations to replace Articles 1, 5, and 12. These drafts are not intended to be final regulation but rather to function as "straw men" to stimulate discussion between ELAP, the laboratory community and the PT providers as to program requirements and language.
- 6) The sub-committee recommends that these proposals be posted on the ELAP homepage as proposed draft regulations and accept public comment on these draft regulations. The sub-committee also recommends that ELAP and ELTAC conduct at least two public workshops on these draft regulations in northern and southern California.

Thank you for allowing us to contribute to the improvement of environmental laboratory accreditation.

A handwritten signature in black ink, reading "Kenneth E. Osborn". The signature is written in a cursive style with a large, sweeping loop at the end.

Kenneth Osborn, Chair  
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A handwritten signature in black ink, reading "Miriam Cardenas". The signature is written in a cursive style with a large, sweeping loop at the end.

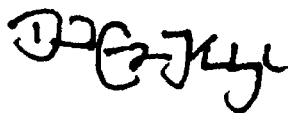
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A handwritten signature in black ink, appearing to read 'C. Wibby'.

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Attachments: Article1, Article5, Article12